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8           UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA  
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10           KURT ANGELONE,  
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12                 Plaintiff,

13                 v.  
14           DR. MICHAEL FURST,  
15                 Defendant.

CASE NO. 07-5538 RJB/KLS

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
SETTING DEADLINE FOR  
SUBMITTAL OF JOINT STATUS  
REPORT

16           This matter comes before the Court on the Report and Recommendation of U.S.

17           Magistrate Judge Karen L. Strombom. Dkt. 188. The Court has reviewed the Report and  
18           Recommendation, objections, if any, and the remaining record.

19           The Report and Recommendation recommends denial of Defendant's motion for  
20           summary judgment. Dkt. 188. On review of the Report and Recommendation, the undersigned  
21           concludes that there are issues of material fact, and Defendant's motion should be denied.  
22           Further, the parties should be ordered to file a joint status report, pursuant to Fed. R. Civ. P. 26  
23           and Western District of Washington Civil Rule 16, no later than December 16, 2011.

24           ORDER ADOPTING REPORT AND  
RECOMMENDATION AND SETTING  
DEADLINE FOR SUBMITTAL OF JOINT  
STATUS REPORT- 1

Accordingly, it is **ORDERED** that:

- The Report and Recommendation (Dkt. 188) is **ADOPTED**;
  - The Defendant's Motion for Summary Judgment (Dkt. 174) is **DENIED**; and
  - The parties **SHALL FILE** a joint status report, pursuant to Fed. R. Civ. P. 26 and Western District of Washington Civil Rule 16, no later than **December 16, 2011**.

The Clerk is directed to send uncertified copies of this Order to U.S. Magistrate judge Strombom, all counsel of record, and to any party appearing *pro se* at said party's last known address.

Dated this 21st day of November, 2011.

*Robert F. Bryan*

**ROBERT J. BRYAN**  
United States District Judge